

REMARKS

Please reconsider the application in view of the above amendments and the following remarks.

Disposition of claims

Claims 1-8 are pending in this application. Claims 1, 5, 7, and 8 are independent. Claims 2-4 and 6 depend, directly or indirectly, from the independent claims 1, 5, 7, and 8.

Claim amendments

Claims 1, 5, 7, and 8 have been amended by way of this reply to further clarify the claimed invention. Specifically, the claims have been amended to recite that the communication device automatically requests the server to effect a content downloading operation into the communication device via the second communication network. No new matter has been added by way of these amendments, as support for these amendments may be found, for example, in paragraphs [0011] and [0029] of the publication of the Specification.

Rejection(s) under U.S.C. §102

Claims 1-8 stand rejected under U.S.C. §102(e) as being anticipated by U.S. Publication of Application No. 2001/0015977 (hereinafter "Johansson"). To the extent that this rejection still applies to the amended claims, the rejection is respectfully traversed.

One or more embodiment of the present invention is directed to managing a communication device that has been arranged to communicate with a content server via a first communication

network and a second communication network. The first communication network may be, for example, a GSM network. The second communication network may be, for example, a GPRS network. The communication device may be, for example, a mobile phone in which a SIM card is inserted. When a content server sends a management request instruction to the communication device, the management request instruction causes the communication device to *automatically* request a server to affect a *content downloading operation* into the communication device. The communication device sends the request to the server without any intervention from the user.

Fig. 2, for example, illustrates the steps involved in establishing a connection between the mobile phone MP and the content server SERV via the GPRS network (*see* paragraphs [0019] – [0022] of the publication of the Specification). In the SMSDELIVER step, the mobile phone MP delivers the SMS message (that comprises the management request instruction) to the SIM card SIC. The software on the SIC analyzes the management request instruction and data in the message, following which a connection opening step CONOPEN is executed. In the CONOPEN step, the SIC requests the mobile phone MP to establish a connection with the content server SERV via the GPRS based network IPNET. Once the connection is established, the SERV can load data or applications into the SIC via the GPRS based network. The transition from the SMSDELIVER step to the CONOPEN step takes place *automatically* without any input from the user.

Turning to the rejection, for anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present (See M.P.E.P. § 2131). From the above discussion and the reasons set forth below, Applicants believe that Johansson fails to show or disclose all the limitations of the amended claims 1, 5, 7, and 8. Specifically, Johansson fails to show that the execution of the

management request instruction causes the communication device to automatically request the server to carry out a content downloading operation into the communication device.

In contrast, Johansson discloses a method in which a push server 50 first sends a message comprising payload data and an activation code to the mobile station 20. On detection of the presence of the activation code, the mobile station 20 extracts the IP address, port number, and an originator identification code from the payload data. The mobile station 20 connects to a DNS server 40, which looks up the IP address to find the corresponding server host name. The mobile station 20 receives the host name from the DNS server 40 and displays it to the user. Then, based on the displayed host name, the *user* decides whether or not packet data reception from the push server 50 is desired (*see* Johansson, paragraph [0047]). Only when the user inputs “yes” does the processing continue to a GPRS connection phase. If the user inputs “no,” the execution of the GPRS connection phase is halted.

Although the push server 50 of Johansson sends an activation code to the mobile station 20 via a first communication network (GSM), there is no executing step in which the mobile station 20 automatically requests the push server to perform a content downloading operation. Therefore, contrary to the embodiment of the present invention, as recited in claims 1, 5, 7, and 8, the communication device of Johansson is not operable to interpret the activation code as an instruction that is sufficient to invoke a content downloading operation from the server automatically, *i.e.*, *without* any intervention from the user.

From above, it is clear that Johansson fails to disclose at least one limitation of each of the claims 1, 5, 7, and 8. Therefore, claims 1, 5, 7, and 8 are patentable over Johansson, and claims 2,

3, and 6 depending, directly or indirectly, therefrom are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under U.S.C. §103

Claim 4 stands rejected under U.S.C. §103(a) as being unpatentable over Johansson in view of U.S. Publication of Application No. 2002/0183045 (hereinafter “Emmerson”). For the reasons set forth below, this rejection is respectfully traversed.

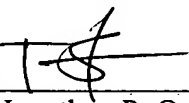
From above, Johansson fails to show all the limitations of independent claim 1. Further, Emmerson fails to teach or suggest that which Johansson lacks. Specifically, Emmerson is cited merely to assert that it teaches protecting the information downloaded from the network to the wireless device. See Office Action mailed December 22, 2006, p. 4. However, Emmerson fails to teach or suggest an execution of the management request instruction, which causes the communication device to *automatically* request a server to effect a content downloading operation into the communication device via the second communication network. Thus, Emmerson fails to teach or suggest all of the limitations of independent claim 1, and fails to provide that which Johansson lacks with respect to claim 1. Therefore, claim 1 is patentable over Johansson and Emmerson, whether considered separately or in combination. Claim 4 depends from claim 1 and, thus, is patentable over Johansson and Emmerson for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/041001).

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Respectfully submitted,

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